

**HAMPSHIRE COUNTY COUNCIL  
Decision Report**

<b>Decision Maker:</b>	Regulatory Committee
<b>Date:</b>	19 June 2019
<b>Title:</b>	Development of chalk quarry with reinstatement to agriculture using imported inert materials, together with ancillary development include site office, wheel wash, weighbridge, new access and drying shed at Land adjacent A339, Basingstoke Road, Manor Farm, Monk Sherborne RG26 (EIA) (Application No. 18/01064/CMA) (Site Ref: BA176)
<b>Report From:</b>	Head of Strategic Planning

**Contact name:** Judith Smallman

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**Recommendation**

1. That planning permission be REFUSED for the following reasons:
  - (1) The proposed vehicular access to the site is inadequate to accommodate the development safety and would result in an unacceptable impact on the safety of users of the development and adjoining highway, contrary to policy 12 (Managing traffic) of the Hampshire Minerals and Waste Plan (2013).
  - (2) Having regard to the site location, in an elevated position directly adjacent to the boundary of the North Wessex Downs Area of Outstanding Natural Beauty (AONB), the proposed development and associated activity would have a significant adverse impact upon the distinctive character of the landscape contrary to policies 10 (Protecting public health, safety and amenity) and 13 (High-quality design of minerals and waste development) of the Hampshire Minerals and Waste Plan (2013) and the aims and objectives of the North Wessex Downs Area of Outstanding Natural Beauty's statutory Management Plan.
  - (3) On the basis of the information submitted, the application fails to demonstrate that the proposed development meets policy 11 (Flood risk and prevention) and can be implemented without causing additional flood risk.

**Executive Summary**

2. The planning application is for the development of a chalk quarry followed by reinstatement to agriculture using imported inert material together with ancillary development to include site office, wheel wash, weighbridge, new

access and drying shed at land adjacent A339 Basingstoke Road, Manor Farm, Monk Sherborne.

3. This application is being considered by the Regulatory Committee at the request of the applicant and as several objections have been received from statutory consultees.
4. Key issues raised are; highway safety, landscape and visual impact, and surface water drainage.
5. The application is accompanied by an Environmental Statement and therefore is considered pursuant to the [Town & Country Planning \(Environmental Impact Assessment\) Regulations 2017](#).
6. The proposal is not considered acceptable in terms of Policy 12 (Managing traffic) as use of the proposed access would be likely to result in a significant adverse impact on highway safety.
7. The application has also failed to demonstrate that the proposal would not cause an unacceptable adverse visual impact or would maintain and enhance the distinctive character of the landscape in accordance with Policies 10 (Protecting public health, safety and amenity) and 13 (High-quality design of mineral and waste development) and the information submitted is not sufficient to conclude the development accords with Policy 11 (Flood Risk and prevention).
8. It is therefore considered that the proposal would not be in accordance with the relevant policies of the adopted Hampshire Minerals and Waste Local Plan 2013.

### **The Site**

9. The site is located approximately 4.5 kilometres (km) to the north-west of the town of Basingstoke, adjacent and to the north-east side of the A339 Kingsclere Road. The village of Monk Sherborne is approximately 1.6km to the north east of the site.
10. The site is situated within the countryside in a predominantly arable agricultural setting, interspersed with isolated dwellings. Agricultural fields are located to the north and east of the site, with further agricultural land to the south and west of the A339. The field to the immediate east is within the control of the applicant. The land to the immediate north is part of the adjoining holding.
11. The application site measures approximately 6.74 hectares (ha) and comprises un-developed agricultural land in arable use. The application site lies within an agricultural holding which comprises of 14 main fields.

12. The site sits in an elevated position within a landscape of undulating arable fields. The site's northern and western boundaries are defined by well vegetated field boundaries and the southern boundary is defined by a gappy hedge along the A339. The site's western boundary crosses the open field with no defining feature on the ground. The site is located on a local ridge, along which the busy A339 crosses, with land falling away to the south-west and north-east and continuing to rise to the west. The site is located outside of, but adjacent to the North Wessex Downs Area of Outstanding Natural Beauty (AONB) which lies to the west of the site.
13. The nearest residential properties are four dwellings approximately 235 metres north-west of the site. A further residential address lies at Shothanger Works, a commercial property located on the south side of the A339, approximately 240 metres south east of the site. Weybrook Park Golf Club lies 830 metres to the east of the site.
14. The site is not located in an area designated/identified as being at risk of flooding from rivers or surface water.
15. There are no ecological designations within one kilometre of the site. The closest designation is a locally designated Site of Importance for Nature Conservation (SINC) approximately 1.3 km to the north.
16. There is a buried Schedule Ancient Monument (SAM) adjacent to the application boundary. The monument record is described as Keyhole Enclosure SE of Field Barn Farm.
17. There are several footpaths near the site. Footpath Monk Sherborne: 6 is approximately 240 metres north-west of the site in a south-west to north-east alignment. Footpath Rooksdown: 701 is approximately 480 metres south-east of the site in a south-west to north-east alignment. Footpath Sherborne St John: 1 is approximately 500 metres east of the site in a southwest to north-east alignment.
18. The existing Manor Farm chalk quarry is located approximately 980 metres north-east of the site. Access to the existing Manor Farm quarry is via the un-classified road to the south of the application site, the U252.

### **Planning History**

19. The application site does not have any planning history.
20. The existing Manor Farm quarry was granted planning permission by Hampshire County Council on 12 August 1987, ref BDB20721. This was time limited which required the site to be worked and restored by 31 December 1991. Condition 4 of the consent was varied on 28 April 1992, which allowed the works to continue until 31 December 2001.

21. The time limit was extended again in 2005, to allow works to continue until 31 December 2011 (BDB52172), and again in September 2012, which permitted works to continue until 31 December 2021. This quarry is now to be completed and restored by December 2021.

### **The Proposal**

22. The proposal is for the development of a chalk quarry with reinstatement to agriculture using imported inert materials, together with ancillary development including site office, wheel wash, weighbridge, new access and drying shed.
23. It is proposed to extract chalk from the proposed working area to provide agricultural lime. The applicant, GB Foot, extract and process chalk from their existing quarry at Manor Farm, Monk Sherborne for this purpose and wish to continue utilising chalk for their needs, as well as to supply other local farms.
24. The applicant states that agricultural lime makes a significant difference to the productive potential of arable and grassland. It provides lime to the soil which improves soil aeration and helps to release soil nutrients. It contains calcium which is essential for plant development. It also restores the pH balance of acidic soils. It is a sustainable option for soil improvement. Specifically, it is natural product that optimises the plants ability to utilise major and trace nutrients more efficiently.
25. The chalk will be worked in accordance with the phasing plan. The plan will involve the following key elements:
- create buffer areas to protect existing hedgerows;
  - create access, haul road and yard area for office, wheel wash and weighbridge - the internal haul road and yard will be concreted;
  - strip top soil for the whole working area and stockpile to use for reinstatement; and
  - create temporary bunds using the top soil.
26. The site will be worked in two phases. Phase 1 will involve extracting chalk from the northern part of the site to create a lower working area. A storage shed will then be positioned in this part of the site to store chalk and to assist with the drying process.
27. The shed will be 18 metres x 30 metres. The height will be 10 metres to the eaves. However, this will be positioned at a lower ground level to reduce the visibility of the structure from distant views.
28. The second phase will involve working the remaining area. The chalk will be stripped in complete phases across the working area.
29. It is proposed to extract chalk in the same manner that is currently undertaken at the existing site. The chalk will be extracted at a rate not

exceeding 25,000 tonnes per annum, a throughput similar to the operation at the existing site.

30. The working area is scarified using heavy disc harrows. This loosens and fragments the surface. The material is spread out to dry before being loaded into the hopper of a screener using a wheeled tractor loader. The screener removes the flint and large lumps of chalk and discharges the fine material into a stockpile which will be within the storage barn. The flint will be sold for construction. The fine material will be sold as agricultural lime or used on the farm estate.
31. The optimum conditions for working the chalk will be between May to September. The demand for agricultural lime is also influenced by time, with the period immediately after harvesting, being the ideal time to spread lime, so late July to September/October. There is also an opportunity to spread lime before spring cultivations, i.e. in January and February.
32. The chalk needs to be dry prior to processing and therefore a large working area allows for quicker drying with more exposure to light/heat/wind. The scheme will be one cell but worked in two parts. One part will be used for collecting the prepared chalk to process through the screener whilst the second part would be being prepared with simba discs ready to continue the operation. Working in two parts allows for safe working with loading shovels and tractor and cultivator in different areas. If wet conditions are expected one side will be left (or both if all chalk prepared removed and screened before rain arrives) as an unprepared surface dries out quicker allowing operations to recommence when conditions improve.
33. The proposed items of plant and machinery to be used at the site include:
  - tractor with scarifier;
  - tractor with loading bucket;
  - screener; and
  - 360-degree access.
34. The access will utilise the existing field access gate. The entrance would be widened, and new gates installed to allow a vehicle to wait off Basingstoke Road. A temporary office with toilet, will be provided for the duration of the works. This will be a simple portacabin structure. There will be two parking spaces provided. It is anticipated that there will be one staff member in the site office and one member of staff using the machinery. The current operation uses 2-3 staff depending on the time of year. These staff will be transferred to the new site.
35. The proposed operational hours will be 07.30 – 18.00 Monday to Friday and 08.00 – 13.00 Saturday except in the respect of mineral extraction in the months of July, August, September and October, when machinery shall be worked between the hours of 07.00 - 18.00 Monday to Friday and between 08.00-1300 on Saturdays. There will be no working on Sundays or public holidays.

36. Due to the nature of the chalk extraction process and the requirement to dry the chalk, the restoration will be carried out on completion of the chalk extraction. This is consistent with the existing quarry. The restoration will use appropriate materials to infill the excavation and restore the site to agriculture.
37. As with the existing chalk quarry, the restoration will be completed in one phase on completion of the extraction. The proposed restoration will take place from south to north. Suitable restoration materials will be sourced, which may include construction, demolition and excavation wastes. As the site is nearing the final restoration levels, the top soil stored in perimeter bunds will be replaced as the final cover.
38. The final cover will comprise a minimum of 0.85m chalk topped with 0.15m of topsoil. It is anticipated that based on 60 loads per day, the site could be restored within two years from completion of the chalk extraction. The aftercare stage will ensure that the field is returned to satisfy the requirements of arable farming.

### **Development Plan and Guidance**

39. The following plans and associated policies are relevant to the proposal:

#### [National Planning Policy Framework \(2019\) \(NPPF\)](#)

The following paragraphs are relevant to this proposal:

- Paragraphs 8 & 11: Presumption in favour of sustainable development;
- Paragraph 80: Support economic growth;
- Paragraphs 102 & 103: Sustainable transport;
- Paragraphs 170 & 172: Conserving and enhancing the natural environment; and
- Paragraph 203: Facilitating sustainable use of minerals

#### [National Planning Policy for Waste \(2014\) \(NPPW\)](#)

The following paragraphs are relevant to the proposal:

- Paragraph 1: Delivery of sustainable development and resource efficiency; and
- Paragraph 7: Determining planning applications.

#### [Planning Practice Guidance \(PPG\)](#)

The following paragraphs are relevant to the proposal:

- Paragraph 0050: (Planning and regulation).

### [Hampshire Minerals & Waste Plan \(2013\) \(HMWP\)](#)

The following policies are relevant to the proposal:

- Policy 1 (Sustainable minerals and waste development);
- Policy 2 (Climate change – mitigation and adaptation);
- Policy 3 (Protection of habitats and species);
- Policy 4 (Protection of the designated landscape);
- Policy 5 (Protection of the countryside);
- Policy 7 (Conserving the historic environment and heritage assets);
- Policy 8 (Protection of soils);
- Policy 9 (Restoration of quarries and waste developments);
- Policy 10 (Protecting public health, safety and amenity);
- Policy 11 (Flood risk and prevention);
- Policy 12 (Managing traffic);
- Policy 13 (High-quality design of minerals and waste development);
- Policy 23 (Chalk development);
- Policy 25 (Sustainable waste management);
- Policy 27 (Capacity for waste management development);
- Policy 30 (Construction, demolition and excavation waste development);

### [Basingstoke and Deane Local Plan 2011 to 2029 \(2016\)](#)

The following policies are relevant to the proposal:

- SD1 Presumption in favour of sustainable development;
- CN9 Transport;
- EM1 Landscape;
- EM4 Biodiversity, geo diversity and natural conservation;
- EM12 Pollution;
- EP1 Economic growth and investment.

### [Area of Outstanding Natural Beauty Management Plans](#)

The North Wessex Downs AONB Management Plan (2014-2019) is relevant to the proposal.

The following paragraphs are relevant to the proposal:

- 3.3 Special qualities: Landscape;
- 4.5 Special qualities Land management;
- 6.2 Historic landscape character;
- 8.0 Development;
- 11.1 Landscape key issues.

## Consultations

40. **Councillor Vaughan** was consulted.
41. **Monk Sherborne Parish Council** was consulted.
42. **Basingstoke and Deane Borough Council** was consulted.
43. **Natural England** raises no objection however advises that the relevant AONB Partnership or Conservation Board are consulted. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision.
44. **North Wessex Downs AONB** raises an objection. The proposed development is in principle unacceptable and would erode the natural qualities of the site and the intrinsic rural character of the wider area, which sits within the setting of the North Wessex Downs AONB. The proposed development therefore fails to comply with Policy 13 of the Hampshire Minerals and Waste Plan 2013.

The Chalk quarry will be visible from local Public Right of Way (PROW) and in some locations for a considerable length of the PROW, which look towards the skyline of the AONB. The proposed bund will introduce an alien feature in this undulating landscape which currently has a sense of openness and space that provides the panoramic views and vistas from local roads and PROW.

The application fails to demonstrate that there are no alternative locations. The geology of the area demonstrates that there would naturally be layers of chalk across the valley towards the existing quarry and towards the golf course bordering the built environment of Basingstoke.

There are also concerns in terms of dark skies (a special quality of the North Wessex Downs AONB) which could be affected by external lighting.

45. **Historic England** raises no objection.
46. **Environment Agency** raises no objection
47. **Lead Local Flood Authority** raises an objection based on insufficient information.
48. **Local Highway Authority** raises objection. The additional information provided has not fully addressed the concerns raised in a previous response. Vertical alignment, visibility issues, the impact on third-party land and on hedgerows remain unresolved. Furthermore, if the access layout issues are resolved, given the suggested level of Peak traffic, it is recommended that if



permission were granted, off-peak quarry movements would be recommended via a planning condition.

The Local Highway Authority is not satisfied that a safe form of access which is achievable within available land has been demonstrated.

Due to the nature of this proposed access it is appropriate that all issues need to be overcome prior to approval being granted and not left until the detailed design stage. The local highway authority would advise that the applicant engages in the highway authority's design check process to seek a resolution to these matters.

49. **County Landscape Architect** raises concerns: -

There is no explanation as to why an alternative, less visually prominent location could not have been found. The 'Landscape Assessment of Options' submitted suggests other sites on the farm might also be acceptable.

The application fails to assess the landscape impact of routing quarry traffic away from the established route used by the current operation and creating a site entrance set on high ground further away from developed areas on the edge of Basingstoke and further away from the farm.

The effect on tranquillity from quarry traffic resulting in noise, lighting and dust has not been factored in to the assessment.

Retention of existing vegetation is an important element in the submitted proposal. There is still no accurate drawn information showing it. This information is needed to ensure trees and hedgerows are properly protected and managed and that any losses can be replaced with appropriate species.

50. **County Archaeologist** has no objection subject to conditions requiring details to be submitted to and approved of the final stage of evaluation and subsequent mitigation, if any is required.

51. **County Ecologist** has no objection in principle subject to additional information being submitted.

## Representations

52. Hampshire County Council's [Statement of Community Involvement \(2017\)](#) (SCI) sets out the adopted consultation and publicity procedures associated with determining planning applications.

53. In complying with the requirements of the SCI, Hampshire County Council:

- Published a notice of the application in the [Hampshire Independent](#);
- Placed notices of the application at the application site and local area, extending the period of neighbour consultation;
- Consulted all statutory and non-statutory consultees in accordance with [The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#); and

- Notified by letter properties within the vicinity of the site.

54. Six representations in support to the proposal have been received.

## **Commentary**

### Principle of the development

55. Policy 23 (Chalk development) of the Hampshire Minerals and Waste Plan (HMWP) (2013) supports the small-scale (<25,000 tonnes per annum) extraction of chalk for agricultural uses in Hampshire. The applicant proposes the extraction of up to 25,000 tonnes of chalk per annum for agricultural purposes and therefore the development would be in accordance with Policy 23 of the HMWP (2013).
56. The site lies in the open countryside north-west of the town of Basingstoke. Policy 5 (Protection of the countryside) supports mineral development in the open countryside only when it comprises a time-limited mineral extraction, of which this proposal represents. The proposal is therefore considered to be in accordance with Policy 5 of the HMWP.
57. Paragraph 6.110 of the HMWP (2013) recognises that chalk is a plentiful resource in Hampshire and that there are several existing extraction sites across the county. These sites were considered enough to meet Hampshire's current and expected future demand for chalk at the time. The nearby (980 metres north-east) existing Manor Farm chalk quarry (BA054) is a safeguarded site to protect such production capacity. The applicant proposes the commencement of winning and working of mineral from the new site upon exhaustion of reserves at the existing site. This would therefore be in accordance with Policy 23 of the HMWP (2013).
58. Paragraph 6.113 of the HMWP (2013) states that the need for chalk extraction will need to be clearly demonstrated. The applicant has set out in the accompanying planning statement to the planning application, sound justification why the continuation of chalk quarrying is necessary to supply existing local needs. The two safeguarded sites in Hampshire are Manor Farm, Monk Sherborne and Somborne Chalk Quarry near Winchester. The Manor Farm site currently being worked has estimated reserves for 2 years. Somborne Chalk Quarry near Winchester, which has been worked since 1860 has recently been sold and is currently mothballed for chalk production. Without the proposed site being permitted, existing contractors will have to source chalk from alternative sites, mainly outside the County, which is not necessarily sustainable. The proposal is therefore considered to be in accordance with Policy 23 of the HMWP (2013).
59. Policy 9 (Restoration of minerals and waste developments) requires that temporary mineral development be restored to a beneficial after-use consistent with the development plan. The proposals to restore the site to agriculture would meet with this requirement and therefore the proposal is in accordance with Policy 9 of the HMWP (2013).

60. The principle of subsequent infilling and restoration of the extraction site with inert waste would be supported by Policy 30 (Construction, demolition and excavation waste development) of the HMWP (2013) provided that as far as reasonably practicable all materials capable of producing high-quality recycled aggregates have been removed for recycling.

#### Visual impact and landscape

61. Policy 13 (High-quality design of minerals and waste development) of the HMWP (2013) requires that waste development should not cause an unacceptable adverse visual impact and should maintain and enhance the distinctive character of the landscape. Policy 10 (Protecting public health, safety and amenity) protects residents from significant adverse visual impact.
62. The site is located directly adjacent to the North Wessex Downs Area of Outstanding Natural Beauty (AONB) boundary in an elevated position. An objection to the proposed development on its visually prominent location has been received from the AONB Partnership. It is concerned about the site's impact on the AONB and local PROW. The proposal would be contrary to the aims and objectives of the AONB's statutory Management Plan, Policy 13 of the HMWP and paragraphs 170 and 172 of the NPPF.
63. Strong concerns have also been received from the County Landscape Group on the basis that a Landscape Visual Impact Assessment has not been submitted. The Landscape Assessment of Options which has been submitted, fails to assess the landscape impact of routing of quarry traffic away from the established route used by the current operation and creating a site entrance set on high ground further away from developed areas on the edge of Basingstoke and further away from the farm. The effect on tranquillity of quarry traffic with noise, lights and dust has also not been factored into the initial assessment.
64. On the basis of the submitted information, the proposal is not considered to be in accordance with Policies 10 and 13 of the HMWP (2013) or the NPPF 2019.

#### Highways impact

65. Policy 12 (Managing traffic) requires minerals and waste development to have a safe and suitable access to the highway network and where possible minimise the impact of its generated traffic using alternative methods of transportation. It also requires highway improvements to mitigate any significant adverse effects on highway safety, pedestrian safety, highway capacity and environment and amenity. The Local Highway Authority has objected to the proposal as it involves development that cannot be reconciled with the National Planning Policy Framework and Hampshire County Council Minerals and Waste Plan (2013) Policy 12 in that the proposed access is inadequate to accommodate the development safety.

This would result in an unacceptable impact on the safety of users of the development and adjoining highway. Based on the information submitted, it has not been demonstrated that the traffic generated by the proposal and the increase in vehicle movements will not cause severe highway safety and capacity impacts on the local highway network. The proposal is therefore not considered to be in accordance with Policy 12 (Managing traffic) of the HMWP (2013).

### Soils

66. Policy 8 (Protection of soils) requires minerals and waste development to protect and, wherever possible, enhance soils. It also states that development should not result in the net loss of Best and Most Versatile agricultural land and gives provisions for the protection of soils during construction.
67. Paragraph 170 of the NPPF (2018) states that planning decisions should recognise the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land.
68. The site is graded as Grade 3a agricultural land and therefore constitutes Best & Most Versatile.
69. To safeguard soil resources as part of the overall sustainability of the proposals, it is important that the soil can retain as many of its many important functions and services (ecosystem services) as possible through careful soil management. Consequently, it is advised that if the development proceeds, the developer uses an appropriately experienced soil specialist to advise on and supervise soil handling, including identifying when soils are dry enough to be handled and supported by a Soil Resource Management Plan to ensure the proposal is in accordance with Policy 8 of the HMWP (2013) and the NPPF (2018).

### Cultural and Archaeological Heritage

70. Policy 7 (Conserving the historic environment and heritage assets) of the HMWP (2013) requires minerals and waste development to protect and, wherever possible, enhance Hampshire's historic environment and heritage assets (designated and non-designated), including their settings unless it is demonstrated that the need for and benefits of the development decisively outweigh these interests. No objection has been received to the proposal on these grounds as the archaeological evaluation did not reveal any substantive archaeological remains within the area where extraction is proposed and to that extent no further ecological field work is required. However, the archaeological evaluation was curtailed in one small part of the site due to the existence of a badger sett. This area will need to be evaluated at some point once the ecological constraint is overcome. However, this is a small-scale intervention unlikely to reveal any overriding archaeological

issues and, on that basis, it has been recommended that the final stage of evaluation and subsequent mitigation, if any, could be secured by archaeological conditions attached to any planning permission which might be issued. The proposal is therefore in accordance with Policy 7 of the HMWP (2013).

### Ecology

71. Policy 3 (Protection of habitats and species) sets out a requirement for minerals and waste development to not have a significant adverse effect on, and where possible, should enhance, restore or create designated or important habitats and species. The policy sets out a list of sites, habitats and species which will be protected in accordance with the level of their relative importance. The policy states that development which is likely to have a significant adverse impact upon the identified sites, habitats and species will only be permitted where it is judged that the merits of the development outweigh any likely environmental damage. The policy also sets out a requirement for appropriate mitigation and compensation measures where development would cause harm to biodiversity interests.
72. No impacts to designated sites or priority habitats are anticipated because of the proposals. No objection has been raised by the County Ecologist subject to revised plans being submitted reflecting the Landscape Strategy plan and the retained buffer zone vegetation highlighted within the Final Restoration Levels Plan FIN-01 and proposed conditions relating to works being carried out in full accordance with the ecological measures set out in sections 4.3 and 4.4 of the updated Ecological Impact Assessment (Enims, October 2018), as superseded and updated in part by the letter dated 6 November 2018 (Integrated Skills), and the Avoiding impacts on Dormice and Reptiles at Monk Sherborne Letter dated 30 November (Enims), and the works being carried out in full accordance with the measures set out within the Badger Updating Survey (Enims, June 2017) as amended by any subsequent licence issued by Natural England. The proposal is therefore in accordance with Policy 3 of the HMWP (2013).
73. To be assured that the proposal meets the relevant requirements of the National Planning Policy Framework (NPPF) and Section 40 of the Natural Environment and Rural Communities Act (2006), it is suggested that the restoration provides for the long-term establishment of wide arable margins that buffer the hedgerows to provide a long-term net gain in biodiversity at the site.

### Noise

74. Policy 10 (Protecting public health, safety and amenity) of the HMWP requires that any development should not cause adverse public health and safety impacts, and unacceptable adverse amenity impacts. Also, any proposal should not cause an unacceptable cumulative impact arising from the interactions between waste developments and other forms of

development. No objection has been received to the proposals relating to noise issues and the proposal is in accordance with Policy 10 of the HMWP (2013).

### Flooding

75. Policy 11 (Flood risk and prevention) relates to minerals and waste development in flood risk areas and sets criteria which developments should be consistent with relating to flood risk offsite, flood protection, flood resilience and resistance measures, design of drainage, net surface water run-off and Sustainable Drainage Systems. An objection has been received from the County Flood and Water Management team on the basis that outstanding information previously requested has not been supplied and therefore insufficient information has been provided to make a proper assessment of the proposal. As submitted, the proposal is therefore not in accordance with Policy 11 of the HMWP (2013).

### Environmental Permit

76. National Planning Practice Guidance states that Planning Authorities should assume that other regulatory regimes will operate effectively rather than seek to control any processes, health and safety issues or emissions themselves where these are subject to approval under other regimes (Paragraph 050 Reference ID: 28-050-20141016)
77. Planning and permitting decisions are separate but closely linked. Planning permission determines if a development is an acceptable use of the land. Permitting determines if an operation can be managed on an ongoing basis to prevent or minimise pollution. An Environment Agency permit would be required in this case.

### Conclusions

78. It is considered that the development proposal would not be in accordance with the adopted Hampshire Minerals & Waste Plan (HMWP) 2013.
79. The proposal is not considered acceptable in terms of Policy 12 (Managing traffic) as it would be likely to result in a significant adverse impact on highway safety.
80. The application has not demonstrated that the proposal would not cause an unacceptable adverse visual impact or would maintain and enhance the distinctive character of the landscape in accordance with Policies 10 (Protecting public health, safety and amenity) and 13 (High-quality design of mineral and waste development) as it would have an adverse impact on the North Downs Area of Outstanding Natural Beauty.
81. The information submitted is not sufficient to conclude the development accords with Policy 11 (Flood Risk and prevention).

82. It is considered that any issues relating to noise and dust impacts could be adequately addressed through planning conditions and the Environment Agency licensing regime.

### **Recommendation**

83. That planning permission be REFUSED for the following reasons:

1. The proposed vehicular access to the site is inadequate to accommodate the development safely and would result in an unacceptable impact on the safety of users of the development and adjoining highway, contrary to policy 12 (Managing traffic) of the Hampshire Minerals and Waste Plan (2013).
2. Having regard to the site location, in an elevated position directly adjacent to the boundary of the North Wessex Downs Area of Outstanding Natural Beauty (AONB), the proposed development and associated activity would have a significant adverse impact upon the distinctive character of the landscape contrary to policies 10 (Protecting public health, safety and amenity) and 13 (High-quality design of minerals and waste development) of the Hampshire Minerals and Waste Plan (2013) and the aims and objectives of the North Wessex Downs Area of Outstanding Natural Beauty's statutory Management Plan.
3. On the basis of the information submitted, the application fails to demonstrate that the proposed development meets policy 11 (Flood risk and prevention) and can be implemented without causing additional flood risk.

Appendices:

Appendix A - Location Plan

Appendix B – Application Boundary Plan

Appendix C - Proposed Site Access Plan

Other documents relating to this application:

<https://planning.hants.gov.uk/ApplicationDetails.aspx?RecNo=19053>

**REQUIRED CORPORATE AND LEGAL INFORMATION:**

**Links to the Strategic Plan**

<b>Hampshire maintains strong and sustainable economic growth and prosperity:</b>	No
<b>People in Hampshire live safe, healthy and independent lives:</b>	No
<b>People in Hampshire enjoy a rich and diverse environment:</b>	No
<b>People in Hampshire enjoy being part of strong, inclusive communities:</b>	No
<b>OR</b>	
<b>This proposal does not link to the Strategic Plan but, nevertheless, requires a decision because:</b>	
the proposal is an application for planning permission and requires determination by the County Council in its statutory role as the minerals and waste or local planning authority.	

**Section 100 D - Local Government Act 1972 - background documents**

**The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)**

Document

18/01064/CMA  
BA176

Land adjacent A339, Basingstoke Road, Manor Farm, Monk Sherborne RG26 (EIA)  
(Development of chalk quarry with reinstatement to agriculture using imported inert materials, together with ancillary development include site office, wheel wash, weighbridge, new access and drying shed

Location

Hampshire County  
Council



## **EQUALITIES IMPACT ASSESSMENTS:**

### **1. Equality Duty**

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Officers considered the information provided by the applicant, together with the response from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.